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JAP:DMP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M11-451

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(T. 49, U.S.C.,
§ 46506(1))

IURI CHUMAK,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

THAIS CANIN, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

Upon information and belief, on or about April 28, 2011, the defendant IURI CHUMAK, while being an individual on an aircraft in the special aircraft jurisdiction of the United States, did commit an act, to wit, sexual contact, that, if committed in the special maritime and territorial jurisdiction of the United States, would violate Chapter 109A of Title 18 of the United States Code, to wit, Section 2244(b) of Title 18 of the United States Code.

(Title 49, United States Code, Section 46506(1).)

The source of your deponent's information and the grounds for her belief are as follows:¹

1. On April 28, 2011, I was notified that a female flight attendant (hereinafter, "the Flight Attendant") who had been working aboard British Airways Flight No. 113 from London, United Kingdom to John F. Kennedy International Airport ("JFK") in Queens, New York, complained that defendant IURII CHUMAK had engaged in unwanted and non-consensual sexual contact with her during the course of the flight.

2. Upon being notified of the Flight Attendant's complaint, FBI agents met the aircraft when it landed. The Flight Attendant told me, in sum and substance and among other things, that she was working the British Airways Flight No. 113. At approximately 5:30 p.m. Greenwich mean time, the Flight Attendant was serving coffee to passengers aboard the flight.

3. When the Flight Attendant arrived at Row 42, she served coffee to defendant IURII CHUMAK, who was sitting in seat 42D, an aisle seat. After she had served him coffee, she turned away from the defendant IURII CHUMAK to serve coffee to the passengers seated in seats A-C of Row 42, on the other side of the aisle from the defendant IURII CHUMAK. The Flight Attendant bent over slightly to pour coffee into their cups, at which time the defendant IURII CHUMAK placed his hand up her skirt, grabbed her genital area, and began to run his fingers back and forth.

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.


4. A second flight attendant ("Flight Attendant 2") witnessed the defendant IURII CHUMAK grab the first flight attendant's genital area.² Flight Attendant 2 immediately approached the defendant IURII CHUMAK and restrained him. The defendant IURII CHUMAK spent the remainder of the flight in restraints.

5. The defendant IURII CHUMAK told agents from the FBI and U.S. Customs and Border Protection after the flight landed that he was drinking on the airplane, fell asleep, and woke up in restraints.

^{2/} Earlier in the flight, a passenger sitting in close proximity to the defendant IURII CHUMAK had called over Flight Atendant 2 to complain that the defendant IURII CHUMAK, who was drinking a bottle of Dewar's scotch, had bothered and been verbally abusive to the passenger's wife, who was sitting in seat 42E next to the defendant IURII CHUMAK.

6. It is your deponent's understanding that the "special aircraft jurisdiction of the United States" includes any aircraft outside the United States that has its next scheduled destination in the United States and that next lands in the United States, pursuant to 49 U.S.C. § 46501(2)(D). It is further your deponent's understanding that the plane in question was "in flight," as defined in 46 U.S.C. § 46501(1), during the events described herein.

WHEREFORE, your deponent respectfully requests that defendant IURII CHUMAK be dealt with according to law.



THAIS CANIN
Special Agent
Federal Bureau of Investigation

Sworn to before me this
30 day of April 2011
